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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Visco et al.

Attorney Docket No.: PLUSP038

Application No.: 10/825,587

Examiner: G. Cantelmo

Filed: April 14, 2004

Group: 1795

Title: ACTIVE METAL FUEL CELLS

Confirmation No.: 8178

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**CERTIFICATE OF EFS-WEB TRANSMISSION**

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 4, 2008.

Signed: /dn/  
Deborah Neill

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are a Terminal Disclaimer and an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	14	MINUS	20	0	x 26 = 0	x 52 = NA
Independent Claims	1	MINUS	3	0	x 110 = 0	x 220 = NA
			Total	0	NA	

- Applicants believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicants hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 504480 (Order No. PLUSP038).
- Please charge any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 504480 (Order No. PLUSP038).

Respectfully submitted,  
Weaver Austin Villeneuve & Sampson LLP  
/jea/  
James E. Austin  
Reg. No. 39,489

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Oakland, CA 94612-0250

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Visco et al.

Attorney Docket No.: PLUSP038

Application No.: 10/825,587

Examiner: Cantelmo, Gregg

Filed: April 14, 2004

Group: 1745

Title: ACTIVE METAL FUEL CELLS

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Deborah Neill

**AMENDMENT D**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed October 16, 2008, reconsideration of the above-identified patent application is respectfully requested in view of the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.